

BOSE McKINNEY & EVANS LLP**CUSTOMER NUMBER 25267**2700 First Indiana Plaza
135 North Pennsylvania Street
Indianapolis, Indiana 46204
(317) 684-5000**PATENT APPLICATION***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***RECEIVED
CENTRAL FAX CENTER****AUG 18 2004****OFFICIAL**

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| Art Unit: | 2655 | } |
| Atty. Docket: | 14184-0019 | } |
| Applicant: | Griner et al. | } |
| Title: | SYSTEM AND METHOD OF CREATING DIGITAL RECORDINGS OF LIVE PERFORMANCES | } |
| Serial No.: | 10/624,077 | } |
| Filed: | July 21, 2003 | } |
| Examiner: | Neyzari | } |

**REQUEST FOR RECONSIDERATION OF DECISION TO DENY APPLICANTS'
PETITION TO MAKE SPECIAL UNDER 37 C.F.R. § 1.102**

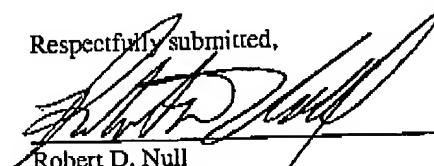
VIA FACSIMILE: 1-703-872-9306

Dear Special Program Examiner Bost:

Applicants hereby respectfully request reconsideration of the Decision to deny Applicants' Petition to Make Special filed May 21, 2004. In the Decision, mailed August 10, 2004, the Special Program Examiner indicated that the Petition was denied because a statement is required regarding the references considered most closely related to the subject matter of the claims. Applicants hereby state that the references most closely related to the subject matter encompassed by the claims are already of record through submission of Information Disclosure Statements on May 13, 2004 and June 22, 2004. Accordingly, copies of references were not submitted with the Petition. With this statement, Applicants respectfully request that the Petition to Make Special be granted. Timely action to such end is hereby requested.

The Commissioner is hereby authorized to charge any additional filing fees under 37 C.F.R. 1.16 or processing fees under 37 C.F.R. 1.17 which may be required during the prosecution of this application, or credit of any overpayment, to Bose McKinney & Evans LLP's Deposit Account No. 02-3223

Respectfully submitted,



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